## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

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Date:			15-Sep-07	APPL. S. N:	10822595			
To Examiner:			VO, DON NGUYEN	Art Unit	2611			
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJEC	T: Decisio	n on Tern	ninal Disclaimer(T.D.) filed:					
form para or have a	agraphs id any quest	dentified l ions, plea	by this informal memo in your nex se see me or the Special Program	results as set forth below. If you ag it Office action to notify applicant of Examiner. THIS IS AN INFORMAL, DF RECORD IN THE APPLICATION FI	f the T.D. If you disagree INTERNAL MEMO ONLY.			
please in	itial, date	and retu	rn this memo to me. THANK YOU.					
<u> </u>	The T.D.	is PROPE	R and has been recorded (see 14.	23).				
Π.	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):							
	Γ	The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account						
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).  The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).  The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a term portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	The person who signed the T.D.:							
		is not an attorney "of record" (see 14.29 and 14.29.01).						
		Ţ.	has failed to state his/her capacity to sign for the business entity (see 14.28).					
		Г	is not recognized as an officer of	the assignee (see 14.29 & possible	14.29.02).			
	Γ	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
	F;	The T.D. is not signed (see 14.26 & 14.26.03).						
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).						
	Г	Other:			1			
	Γ		on to request refund (see 14.36). ot check this item.	NOTE: If already authorized, credit	refund to deposit account			
I have ap	propriate	ly notified	d applicant(s) of the status of the	Terminal Disclaimer filed in this case	e.			
Ex.Initial	s:		Date:		Log Date:			

Application/Control No.			under					
	Internal Document – DO NOT MAIL		NOT MAIL					
	ED	☐ DISAPPI	ROVED					
This patent is subject to a Terminal Disclaimer								
Approved/Disapproved by:								
	10/822,595  APPROVE  This patent to a Te Discla	Internal Do  APPROVED  This patent is subject to a Terminal Disclaimer	Internal Document – DO  APPROVED □ DISAPP  This patent is subject to a Terminal Disclaimer					

U.S. Patent and Trademark Office

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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional) 15241US02

In re Application of: Eric Ojard Application No. 10/822,595 Filed: April 12, 2004

For: Method And System For Modulating And DeModulating Signals In Ultra-Wide Band (UWB) Communication Systems

The owner\*, Broadcom Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6.327.311 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent

later:	mortorios by any terminal alcolamici, in	Talo over alar odia prior pare	
expires for failure to pay a maintenance fee;			
is held unenforceable;			
is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaim	ned under 37 CFR 1 321		
has all claims canceled by a reexamination certificate			
is reissued; or			
is in any manner terminated prior to the expiration of i	its full statutory term as presently shorter	ned by any terminal disclaimer.	
Check either box 1 or 2 below, if appropriate.			
For submissions on behalf of a business/orgar etc.), the undersigned is empowered to act on be		university, government agency,	
I hereby declare that all statements made here information and belief are believed to be true; and furthe statements and the like so made are punishable by fine States Code and that such willful false statements may je	er that these statements were made with or imprisonment, or both, under Sectio	the knowledge that willful false in 1001 of Title 18 of the United	
2. The undersigned is an attorney or agent of recor	rd. Reg. No. <u>51,458</u>		
		9/11/2007	
	/ Ognyan I. Beremski /		
	Signature	Date	
	Ognyan I. Beremski		
•	Typed or printed	name	
	312 775-800	00	
	Telep	hone Number	
Terminal disclaimer fee under 37 CFR 1.20(d) is in	cluded.		
WARNING: Information on this form m be included on this form. Provide cr			
*Statement under 37 CFR 3.73(b) is required if term	ninal disclaimer is signed by the assignee	e (owner).	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.